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**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF UTAH**

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<b>IN RE:</b>	§	
	§	<b>CASE NO. 16-28176</b>
<b>Thomas E. Powers</b>	§	
<b>Tamara D. Powers</b>	§	
	§	<b>Honorable Kevin R. Anderson</b>
<b>Debtors</b>	§	

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**MOTION TO MODIFY CHAPTER 13 PLAN TO REDUCE PLAN PAYMENT,  
MOTION TO ABATE PAYMENTS AND REQUEST FOR FEES**

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Debtors, through counsel, hereby move this court for an order allowing them to modify their Chapter 13 Plan to reduce their Plan payments pursuant to 11 U.S.C. § 1329.

Debtors also move for an abatement of their Chapter 13 Plan Payments. In support thereof, Debtors represent the following:

1. Debtors filed a Chapter 13 petition on September 15, 2016 (“Petition Date”).
2. The Debtors’ Plan payments are \$1100 for two months, \$805 for two months, \$875 for two months, \$1,100 for twenty months and \$1,560 for 34 Months to return 100 percent on allowed unsecured claims. Debtors current plan payment is \$1,100 per month.
3. Debtors confirmed Chapter 13 Plan proposes a payment to Nationstar Mortgage, LLC (“Creditor”) for default arrearage payment.

4. Debtors recently received a Loan Modification whereby the default arrearage was rolled into the Loan Modification. Further, Debtors obtained a court order approving the Loan Modification.
5. The Debtors are doing their best to comply with the Court's ordered plan payments of \$1,100 per month and are paying back 100 percent of allowed secured and unsecured claims.
6. Based on the claims filed and the reduction of the Nationstar Claim to zero, Debtor calculates that their plan will remain feasible with payments reduced to \$750 per month beginning with the September 25, 2017 payment.
7. Pursuant to 11 U.S.C. § 1329, a debtor may modify his plan anytime after confirmation but before the completion of payments subject to the requirements of 11 U.S.C. §1325(a). 11 U.S.C. §1329 (a)(1) further provides that debtors may modify a plan to "increase or reduce the amount of payments on claims of a particular class provided for by the plan."
8. Debtors are working towards a successful Chapter 13 Discharge and are paying back 100 Percent of their unsecured and secured claims.
9. In support of this motion to modify his monthly payments, Debtors, through Counsel, will also file an amended schedule I & J.
10. Debtors also request an abatement of their delinquent payments in the amount of \$3,300.00. Debtors have recently had unexpected medical and other various household expenses.

11. Debtors are fully confident going forward that they can continue making their ongoing reduced payments and are working towards their eventual Chapter 13 discharge.
12. Counsel request fees in the amount of up to \$1,000.00. Counsel will file a separate application for compensation and provide a copy upon request to any interested parties.

WHEREFORE, Due to known and certain changes in Debtors' circumstances, Debtor s respectfully request an Order from the Court modifying Debtors' Chapter 13 Plan to surrender collateral and reduce their monthly plan payments to \$750.00 Per Month.

DATED this: September 6, 2017

/s/ Theron D. Morrison  
Theron D. Morrison  
Attorney for Debtor